

**CITY COUNCIL/REDEVELOPMENT AGENCY  
MINUTES OF A REGULAR MEETING**

**WESTMINSTER, CALIFORNIA  
May 19, 2004**

The City Council of the City of Westminster, California convened on May 19, 2004 at 6:30 p.m. in a Regular Meeting in the Council Conference Room, 8200 Westminster Blvd, Westminster, California.

**6:30 P.M.  
CLOSED SESSION**

**CALL TO ORDER:**

**ROLL CALL**

**PRESENT:** RICE, QUACH, FRY, MARSH, PARIS  
**ABSENT:** NONE

**CLOSED SESSION:**

The City Council/Redevelopment Agency recessed to a Closed Session for the following purposes:

- 1) Conference with Legal Counsel pursuant to Government Code Section 54956.9(b): Anticipated Litigation (one potential case); and
- 2) Conference with Real Property Negotiator pursuant to Government Code Section 54956.8: Property: 7541 Wyoming Street (22-unit affordable senior housing apartment); City Negotiators: Interim City Manager Penny Loomer and Director of Community Development Don Anderson; Negotiating Party: Wendy Yan; Under Negotiation: Price and Terms of Payment.

**RECESS:** At 6:55 p.m., Mayor/Agency Chair Rice recessed from the meeting held in the Council Conference Room.

**7:00 P.M.**

**RECONVENE CITY COUNCIL/REDEVELOPMENT AGENCY MEETING:** The City Council/Redevelopment Agency Meeting was reconvened at 7:01 p.m. in the Council Chambers.

**ROLL CALL:**

**PRESENT:** RICE, QUACH, FRY, MARSH, PARIS  
**ABSENT:** NONE

**SALUTE TO FLAG:** City Attorney

**INVOCATION:** Council Member Marsh

**REPORT OUT OF CLOSED SESSION:**

The City Attorney stated there was nothing to report out of the Closed Session.

**SPECIAL PRESENTATIONS:**

- A. The Mayor and Council Members presented 10-year, 15-year, 20-year, 30-year, and 35-year service pins to City employees.
- B. The Public Works Director recognized individuals that helped with tree planting on Arbor Day.

Mayor Rice requested that Item No. 5.3, Resolution No. 3835, be moved forward on the agenda.

**Motion was made by Mayor Rice**, and seconded by Council Member Marsh, to approve a request by the Mayor to move Item No. 5.3 forward on the agenda. The motion was carried by a 5-0 vote.

- 5.3 Resolution No. 3835 – A Resolution of the City Council of the City of Westminster relating to the burdens placed upon the City by representatives and officials from the Socialist Republic of Vietnam traveling in or through the City of Westminster (continued from the May 5, 2004 meeting) (Mayor Pro Tem Quach and Council Member Marsh) (103-12)**

Mayor Rice suggested that the following point be added on page 3:

- 5. In the event of such activities as set forth hereinabove occurs within the City, all costs incurred by the City for the protection of the public welfare and safety shall be paid by the event organizers, or those who are the source of the City's costs.

**Motion was made by Mayor Rice**, and seconded by Council Member Marsh, to adopt Resolution No. 3835, entitled "A Resolution of the City Council of the City of Westminster relating to the burdens placed upon the City by representatives and officials from the Socialist Republic of Vietnam traveling in or through the City of Westminster", as amended by Mayor Rice, and waive further reading.

Mayor Rice requested that those in the Council Chambers who favored passage of the resolution to stand (nearly everyone in the Chambers stood). The Mayor then asked those persons who were opposed to the resolution to stand (no one stood). Mayor Rice announced that anyone who still wished to speak on this matter to speak under Oral Communications.

The motion was carried by the following vote:

AYES: RICE, QUACH, FRY, MARSH, PARIS  
NOES: NONE  
ABSENT: NONE

**RECESS AND RECONVENE:**

At 7:20 p.m., Mayor/Chair Rice recessed the City Council/Redevelopment Agency Meeting, and reconvened the meeting at 7:55 p.m.

Mayor Rice requested that Item No. 4, Oral Communications, be moved forward on the agenda.

**Motion was made by Mayor Pro Tem Quach**, and seconded by Council Member Paris, to approve a request by the Mayor to move Item No. 4 forward on the agenda. The motion was carried by a 5-0 vote.

**4. ORAL COMMUNICATIONS**

Truong Van Tran, resident of Stanton, spoke in opposition to Resolution No. 3835, because he believes it is against freedom.

Hoa Pham, resident of Torrance and a member of Vietnam Veterans of America, thanked the City Council for adopting Resolution No. 3835.

Toan Thai, a Westminster business owner, stated that the communists do not deserve to visit Little Saigon, and he was pleased that Resolution No. 3835 was adopted.

Mayor Bruce Broadwater of the City of Garden Grove, congratulated the Council for their adoption of Resolution No. 3835. He said he received a call from someone at the State Department who at first, said the resolutions go against the State Department's trade policy with Vietnam, before he read the resolutions; then after he read it, he agreed it did not go against their policy.

A woman who said she represented the Vietnamese Community thanked the Council for adopting Resolution No. 3835 and for erecting the Vietnam Memorial statue in Freedom Park.

Helena Rutkowski, resident of Westminster and a Westminster School Board member, thanked Council Member Marsh for his assistance in writing a definition of gender for the State and she thanked all those who supported the majority of the school board. She added that the State accepted the definition and the schools are not losing any funds.

Darrell Nolta, resident of Westminster, stated he supported Resolution No. 3835, however, he said that it costs money to protect democracy and the Bill of Rights, and the language of the resolution will not make Westminster a communist-free zone.

Larry Laven, resident of Anaheim, stated that cities and states do not have the jurisdiction to establish relationships between countries; but he said he was glad the resolution was adopted.

Council Member Fry directed a statement to Mr. Van Tran that he has seen a demonstration of democracy in action and told him this same demonstration could never happen in Vietnam.

**1. CONSENT CALENDAR****APPROVAL OF MINUTES****1.1 (City Council/Redevelopment Agency) Minutes of the Regular Meeting of the City Council/Redevelopment Agency of April 21, 2004**

ACTION: Approved.

**ROUTINE MATTERS****1.2 (City Council/Redevelopment Agency) Waive reading in full of all ordinances and resolutions under consideration, and approve and adopt same by reading title only.**

ACTION: Approved.

**1.3 Notice of Completion for Work Performed by Steiny and Company, Inc. for the traffic signal interconnect installation on Hoover Street from Bolsa to Trask, and signal modifications for Edwards & Bolsa, Westminster & Hoover, and Magnolia & Hazard, and authorization for an increase of \$6,571.34 to Purchase Order #17846 for final payment. (502-19)**

ACTION: The City Council:

- 1) Approved the increase of \$6,571.34 to Purchase Order #17846 for final payment, and
- 2) Accepted the subject project and authorized the City Clerk to file a Notice of Completion with the County Recorder's Office.

**ORDINANCES (SECOND READING)/RESOLUTIONS****(REMOVED AND HEARD SEPARATELY)****1.4 Resolution No. 3830 - A Resolution of the City Council of the City of Westminster to overturn the Planning Commission's denial of Case No. 2003-74 (Site Plan/Design Review) and to approve Case No. 2003-74 for the property located at 8882-8892 Bolsa Avenue (201-00)**

The Community Development Director said that he spoke Mr. Rosen, attorney for the applicant, to change the word "recorded covenants" to "signed covenants", on page 4, Condition No. 2.

**Motion was made by Council Member Fry, and seconded by Council Member , to adopt Resolution No. 3830, as amended, and waive further reading.**

The motion was carried by the following vote:

AYES: RICE, QUACH, FRY, MARSH, PARIS  
NOES: NONE  
ABSENT: NONE

**WARRANT REGISTER**

- 1.5 (City Council/Redevelopment Agency) Warrant Register dated May 1 through May 14, 2004 (105-09)**

ACTION: Approved.

**INFORMATION AND REPORTS**

- 1.6 Minutes of the Cultural Arts Commission meetings held February 5, 2004 and March 4, 2004 (104-06)**

ACTION: Received and filed.

- 1.7 Minutes of the Community Services & Recreation Commission meeting held February 10, 2004 (104-05)**

ACTION: Received and filed.

- 1.8 Minutes of the Commission on Aging meetings held February 9, 2004 and March 8, 2004 (104-03)**

ACTION: Received and filed.

- 1.9 Minutes of the Planning Commission meeting held April 28, 2004 (104-11)**

ACTION: Received and filed.

- 1.10 Community Development Monthly Activity Report – April, 2004 (216-01)**

ACTION: Received and filed.

**Motion was made by Mayor Pro Tem Quach**, and seconded by Council Member Paris, to approve the Consent Calendar with the exception of Item No 1.4. The motion was carried by a 5-0 vote.

**END OF CONSENT CALENDAR**

- 2. COMMISSION/COMMITTEE ITEMS SUBJECT TO REVIEW**

- 2.1 The actions of the Planning Commission meeting held on May 12, 2004**

The Community Development Director reviewed the actions of the Planning Commission meeting of May 12, 2004:

- 1) 15172 Goldenwest Circle (Case 2004-19, CUP) for installation a V-shape two sided billboard facing the I-405 Freeway.

**Motion was made by Mayor Pro Tem Quach**, and seconded by Council Member Paris, to receive and file the report of actions of the May 12, 2004 Planning Commission meeting. The motion was carried by a 5-0 vote.

**3. PUBLIC HEARINGS – None**

**5. MATTERS FROM COUNCIL/AGENCY/AUTHORITY MEMBERS**

**5.1 Council/Agency Member Items**

Mayor Pro Tem Quach thanked Council Member Marsh for co-authoring Resolution No. 3835 and thanked the Council for their unanimous approval. He spoke at a civics class at Westminster High School and a teacher gave him a poster displaying a number of candies from Mexico that contain a high level of lead.

Council Member Paris read a poem by an unknown author called “A Soldier”, in honor of Memorial Day.

Council Member Marsh announced that Garden Grove will hold their annual Strawberry Festival on Memorial Day Weekend; the Scottish Festival will be held the same weekend at the Orange County Fairgrounds; and on Monday, Memorial Day, Westminster’s observance will be held at the Westminster Memorial Park. He said he was proud of Resolution No. 3835, which was narrowly tailored to comply with the law.

Regarding Resolution No. 3835, Council Member Fry thanked Council Member Marsh for his writing ability and he thanked Mayor Pro Tem Quach, Garden Grove Mayor Broadwater and the Garden Grove City Council for their efforts.

Mayor Rice stated that she did not want taxpayers to pay for communist demonstrators coming to this City. The Mayor was pleased with the joint groundbreaking ceremony this week for the Westminster Learning Center and the Community Cultural Center and she thanked all those who accomplished the event. She noted that Police Chief Andy Hall will be the guest speaker at the Westminster Memorial Park on Monday, Memorial Day, May 31, 2004, and she invited all to attend.

**5.2 Westminster Citizenship for Lance Corporal Kenneth Worley, U. S. Marine Corps, 3<sup>rd</sup> Battalion, 7<sup>th</sup> Marines, 1<sup>st</sup> Marine Division (deceased) (115-00)**

Mayor Rice requested that the Council vote to give honorary citizenship to Lance Corporal Kenneth Worley, who died in Vietnam and had no family, but was buried at Westminster Memorial Park.

**Motion was made by Mayor Pro Tem Quach**, and seconded by Council Member Marsh, to grant honorary Westminster citizenship to Medal of Honor recipient, Lance Corporal Kenneth Worley, who died in Vietnam and had no family, so that the City can honor his service to his county. The motion was carried by a 5-0 vote.

Darrell Nolta, resident of Westminster, stated that Lance Corporal Worley grew up in Long Beach; he said he visited the Vietnam Veterans Memorial Wall in Sacramento and he would like to see his name put with the names of the veterans who lived in Westminster.

**6. MATTERS FROM CITY MANAGER/EXECUTIVE DIRECTOR**

**6.1 Acceptance of Traffic Safety Mini-Grant No. IN43004 from State of California Office of Traffic Safety (OTS), California Seat Belt Compliance Campaign Extensions, May 24, 2004 through June 6, 2004, August 12, 2004 through August 18, 2004, and September 2, 2004 through September 8, 2004. (109-06)**

**Motion was made by Council Member Fry**, and seconded by Council Member Paris, to:

- 1) Approve the acceptance of the Office of Traffic Safety, California Seat Belt Compliance Campaign grant extension;
- 2) Increase the overtime budget \$29,930.00 for Office of Traffic Safety Grant funds, consisting of overtime funds for seatbelt enforcement by officers and for the project's first line supervision; and
- 3) Authorize the Chief of Police, or his designee, to complete the process for receipt of OTS funding.

The motion was carried by a 5-0 vote.

**6.2 Award of Contract to Thayer Consulting for the Needs Assessment and Feasibility Study to join the West Cities Police Communications Center Joint Powers Authority for Dispatch and Communication Functions (502-20)**

**Motion was made by Council Member Paris**, and seconded by Mayor Pro Tem Quach, to:

- 1) Authorize a transfer from General Fund Reserve Account No. 80001-91010 to Project No. 31002-042801 West-Comm Dispatch Consolidation in the amount of \$70,000; and
- 2) Award the contract to Thayer Consulting in the amount of \$66,500 to conduct the needs assessment and feasibility study to join the West Cities Police Communications Center Joint Powers Authority for dispatch and communications functions and authorize the Interim City Manager to execute the contract on behalf of the City.

The motion was carried by a 5-0 vote.

**6.3 Request for subordination of approved Community Development Block Grant (CDBG) loan for 22-unit affordable senior housing apartment project on property at 7541 Wyoming Street (502-03)**

**Motion was made by Mayor Pro Tem Quach**, and seconded by Council Member Fry, to approve the CDBG Subordination Agreement with Cambridge Heights, L.P., for 22 affordable senior housing apartment units at 7541 Wyoming Street. The motion was carried by a 5-0 vote.

**6.4 (City/Agency) Patriotic Banners (105-11)**

**Motion was made by Council/Agency Member Paris**, and seconded by Mayor Pro Tem/Vice Chair Quach, to authorize an appropriation of \$20,504 (includes \$5,000 for installation, removal and cleaning of banners) from Redevelopment Fund balance (Fund 500) to Account No. 18008-44020 (Economic Development – Special Departmental Expense) for the purchase of 100 patriotic banners. The motion was carried by a 5-0 vote.

Mayor Rice invited all residents and business owners in the City to purchase patriotic banners at \$75 each.

**6.5 (City Council/Agency) Consideration of Council/Agency Meeting Dates (103-08)**

It was the consensus of the Council/Agency to leave the June and July Council/Agency meeting schedule unchanged, however, the first two meetings in August will be August 3, 2004 (regular meeting) and August 10, 2004 (study session); with no change to the August 18, 2004 regular meeting. In September, the tentative schedule will be September 8, 2004 (regular meeting), September 13, 2004 (study session) and September 22, 2004 (regular meeting).

**7. WRITTEN COMMUNICATIONS (Public) – None**

**8. LEGISLATIVE ITEMS**

**8.1 Resolution No. 3839 - Approving the sale of Redevelopment Agency property at 14120 All American Way (502-03)**

**Motion was made by Mayor Pro Tem Quach**, and seconded by Council Member Fry, to adopt Resolution No. 3839 entitled, “A Resolution of the City Council of the City of Westminster approving the sale of Redevelopment Agency property at 14120 All American Way”, and waive further reading. The motion was carried by the following vote:

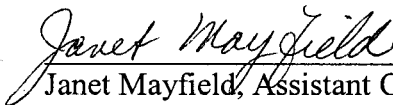
AYES: RICE, QUACH, FRY, MARSH, PARIS  
NOES: NONE  
ABSENT: NONE



9. **COMMISSION AND COMMITTEE ITEMS – None**

Mayor Rice requested that a letter of thanks be prepared for the Police Department for their assistance with security at tonight's meeting.

10. **COUNCIL/AGENCY ADJOURNMENT:** At 8:45 p.m., Mayor/Chair Rice adjourned the meeting.



Janet Mayfield, Assistant City Clerk/  
Acting Agency Secretary